

In Review

Your monthly **Industrial Relations** update

Sept 2017



Sept Update

The growing scourge of depression and other conditions can destroy lives and families. It affects colleagues, contractors, clients and suppliers and has been estimated to cost workplaces nearly \$11 billion. Every workplace can make a difference. Here is what you can do.

Nearly three million Australians live with depression, anxiety or other mental illnesses, battling with consequences that their wellbeing, personal relationships, career and productivity. About 21 per cent of Australians have taken time off work in the past 12 months because they felt stressed, anxious, depressed or mentally unhealthy, and it is estimated that costs workplaces \$10.9 billion last year

A recent PricewaterhouseCoopers report on the human toll in the construction industry is confronting reading.

Workers are more than twice as likely to commit suicide than other Australians, and six times more likely to die by suicide than through a workplace accident. Apprentices in construction are two and a half times more likely to suicide than other people their age.

There's no doubt this is a serious and growing problem, but getting on the front foot can help turn the tide. According to PricewaterhouseCoopers, it also makes good business sense, with mental health initiatives returning \$2.50 in improved productivity for every \$1 investment.

The first priority should be reducing stigma. Getting people comfortable talking about mental health means problems won't be left to fester. Including this awareness in your induction processes is a great first step. Demonstrate your commitment to a mentally healthy workplace with a clear plan so employees have the necessary support to stay at or return to work. If you have any questions or require any support our team is here to help.

You should also let your employees know about the range of free services and expertise they can tap into.

Beyond Blue has developed an early intervention program, NewAccess, supported by Return to Work SA.

NewAccess is designed to provide easily accessible, free and quality coaching for people who experience mild to moderate depression and/or anxiety.

At the first of the program's six free sessions, a NewAccess coach undertakes an initial assessment and develops a program tailored to the person's needs. Sessions can be delivered over the phone or face-to-face.

Now in its fourth year, NewAccess has achieved recovery rates of nearly 75 per cent with nearly one-quarter of participants recording reduced alcohol or drug use. Mates in Construction also provides support for workers through case management and a 24/7 help line.

Mental illness should never be underestimated. Lifeline, a national charity, provides 24-hour crisis support and suicide prevention services and can be contacted on **13 11 14**.

For more information on how a mentally healthy environment can benefit your business, come hear NewAccess Team Leader Mathew Ragless at our next Quarterly Seminar on Friday 3 November.

Will Frogley
Industrial Relations and Policy Manager



MASTER BUILDERS
SOUTH AUSTRALIA



Right of entry update

Members should be aware that CFMEU State Secretary Aaron Cartledge has recently been appointed a WHS Consultant by the Industrial Relations Consultative Council and may try to gain entry to construction sites. However, based on a June Federal Court decision and information provided by the ABCC, Mr Cartledge is not permitted to exercise a state OH&S right as he does not hold a federal right of entry permit. Mr Cartledge therefore has no lawful basis to enter a construction site for the purpose of exercising a state OHS right.

Darley sides with Greens and CFMEU

In a disappointing development, the South Australian Greens and the Weatherill Government have worked closely with minor party MLCs John Darley and Kelly Vincent to water down WHS laws aimed at curtailing right of entry abuse.

In a 9-8 vote, the Greens Bill to delete restrictions on who health and safety representatives can invite on site passed the Upper House. The Liberal Party and Australian Conservatives voted against the Bill, but the legislation will pass the Lower House and be law within months. All parties that supported the Bill sided with the CFMEU, which has long called for easier access onto building sites and rallied on the steps of Parliament House in support of the Bill earlier in the day.

However, officials who do not hold a Federal permit are still not permitted to exercise a state OHS right, and therefore have no lawful basis to enter a construction site for the purpose of exercise a state OHS right. The ABC has advised Master Builders SA that if members let officials on site under these circumstances, they will be in breach of Building Code 2016. Contact the Industrial Relations Team on **8122 4990** for further information.



Federal ALP election commitments

The Industrial Relations Committee discussed the likely impact of Federal ALP policies announced to date. Many, such as limiting the use of casual workers, easing legal restrictions on strikes and reducing the bargaining power of employers were flagged in a recent speech by Shadow Workplace Relations Minister Brendan O'Connor and would require amendments to the *Fair Work Act*. Members had the position that any further wage increases provided for in future enterprise agreements must come with clearly demonstrated productivity increases. Master Builders SA is providing feedback from the Committee to our national office in order to most effectively coordinate our lobbying efforts on behalf of members.

Xenophon will not support "sympathy strike" bill

Turnbull Government legislation to increase maximum fines from \$750,000 to \$10 million for secondary boycotts is in doubt after Nick Xenophon Team senators joined the Greens and Labor to declare they would not support it.

The Xenophon Team, the Greens and Labor total 36 senators - two short of the 38 required to block the Bill's passage.

With the Senate next sitting on 16 October 2016, the Government and Labor will be heavily lobbying undecided crossbenchers such as Senator Derryn Hinch.





Acting Commissioner appointed

Master Builders SA welcomes the promotion of Cathy Cato to Acting Australian Building and Construction Commissioner. A lawyer for more than 20 years, Cathy's previous senior roles at the ABCC include Deputy Commissioner Operations and Code and National Manager Building Code.

Master Builders SA has a strong professional relationship with Cathy, and it was a pleasure to have her as our keynote speaker at an information seminar for members on Building Code 2016 earlier this year. We congratulate Cathy on her appointment and are confident that under her watch the ABCC will maintain its focus on ensuring the rule of law prevails in the Australian building and construction industry.



"Change the Rules" campaign

The ACTU this month launched a six-week national "change the rules" campaign designed to win public support for pro-worker changes to the *Fair Work Act*. Union delegates are surveying workers about what changes they want to workplace laws. According to ACTU Secretary Sally McManus, organiser of the controversial "Mediscare" campaign, "the pendulum had swung too far towards big business and Australia needs a pay rise". A "WorkChoices" style campaign in the lead up to the next Federal Election should be expected.



Portable Long Service Leave

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Members are reminded of their obligations under the Construction Industry Long Service Leave Act 1987. Employers of eligible workers are required to register with Portable Long Service Leave, lodge Employer Returns every two months and pay a levy based on 2.15% of remuneration (apprentices are levy free). It is far better to be proactive now than be met with a Bill for many thousands of dollars that has accumulated over the years. For further information, contact the Master Builders SA Industrial Relations Team on **8122 4990**.

When you've finished work worth tens of thousands of dollars and there is a problem with payment, you'll wish you had spent half an hour filling out a Master Builders SA Contract.

Learn more from our Industrial Relations team on **08 8122 4990** or at **IR@mbasa.com.au**.



Industrial Relations Committee

The next Master Builders SA Industrial Relations Committee will be held at 4:00pm on Wednesday 1st November at Master Builders House.

Phone **08 8122 4990** to find out more.

